



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
---------------	-------------	----------------------	---------------------

08/153,287 11/17/93 HAUPTMANN

R 0652.0820002

EXAMINER

CARLSON, K

ART UNIT

PAPER NUMBER

1812

DATE MAILED:

04/19/94

18N2/0419
STERNE, KESSLER, GOLDSTEIN & FOX
1100 NEW YORK AVENUE, N.W.
SUITE 600
WASHINGTON, DC 20005-3934

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 2-7, 9-14, 17, 18, 22, 23 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☒ Claims 1, 8, 15, 16, 19-21, 24-26 have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 2-7, 9-14, 17, 18, 22, 23 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☒ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☒ been received ☐ not been received
☐ been filed in parent application, serial no. 07/571430; filed on 4-20-90.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Serial Number 08/153287

Art Unit 1812

The instant application is a FWC of SN 07/821750. Claims 1, 8, 15, 16, 19-21, and 24-26 have been cancelled. Claims 2-7, 9-14, 17, 18, 22, and 23 are pending and are under examination.

5 The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Applicants have not amended the claims are presented arguments against the rejections. Therein, all rejections are maintained as follows.

10 Claims 2-7, 9-14, 17, 18, 22, and 23 are rejected under 35 U.S.C. § 103 as being unpatentable over Wallach et al. as discussed in the previous Office Actions, Paper #4, page 4 and Paper #8, page 2.

15 Claims 2-7, 9-14, 17, 18, 22, and 23 are rejected under 35 U.S.C. § 103 as being unpatentable over Olsson et al. in view of Wallach et al. or any molecular biology laboratory techniques book or manual as discussed in the previous Office Action, Paper #8, page 3.

20 This is a FWC of applicant's earlier application S.N. 07/821750. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds or art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in
25 this case. See M.P.E.P. § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

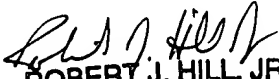
Serial Number 08/153287

Art Unit 1812

5 A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO
EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST
RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION
AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH
SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON
THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37
C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY
ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN
10 SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from
the examiner should be directed to Karen Cochrane Carlson, Ph.D. whose
15 telephone number is (703) 308-0034.

Any inquiry of a general nature or relating to the status of this
application should be directed to the Group receptionist whose telephone
number is (703) 308-0196.


ROBERT J. HILL, JR.
SUPERVISORY PATENT EXAMINER
GROUP 1800